

CASE

NUMBER:

99-479

Construct

CELL SITE - 1473 UPPER COLESBURG ROAD - ELIZABETHTOWN

IN THE MATTER OF THE APPLICATION OF CROWN COMMUNICATION
INC., TRITEL COMMUNICATIONS, INC. AND TRITEL FINANCE, INC.
FOR ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND
NECESSITY TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT
1473 UPPER COLEBURG ROAD ELIZABETHTOWN, KENTUCKY 42701
IN THE WIRELESS COMMUNICATIONS LICENSE AREA
IN THE COMMONWEALTH OF KENTUCKY
IN THE COUNTY OF HARDIN
SITE NAME: MAPLE HOLLOW

SEQ NBR	ENTRY DATE	REMARKS
0001	12/01/1999	Application.
0002	12/02/1999	Acknowledgement letter.
M0001	01/28/2000	CROWN COMMUNICATIONS DAVID PIKE-MOTION TO SUBMIT FOR EXPIDITED DECISION WITHOUT PUBLIC HEAR
0003	03/02/2000	FINAL ORDER GRANTING CONSTRUCTION



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
211 SOWER BOULEVARD
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

CERTIFICATE OF SERVICE

RE: Case No. 1999-479 UAC
TRITEL FINANCE, INC.

I, Stephanie Bell, Secretary of the Public Service Commission, hereby certify that the enclosed attested copy of the Commission's Order in the above case was served upon the following by U.S. Mail on March 2, 2000.

See attached parties of record.

Stephanie Bell

Secretary of the Commission

SB/sa
Enclosure

David Burak
Tritel Finance, Inc.
1512 Crums Lane
Louisville, KY. 40216

Lloyd McCarthy
Crown Communication Inc.
Commonwealth Business Center
11001 Bluegrass Parkway, Suite 330
Louisville, KY. 40299

Honorable David A. Pike
Attorney for Crown Communication Inc
Pike Legal Group
200 South Buckman Street
P. O. Box 369
Shepherdsville , KY. 40165 0369

Honorable Sandra F. Keene
& Honorable Mark W. Dobbins
Attorneys for Tritel
Tilford, Dobbins, Alexander,
Buckaway & Black
One Riverfront Plaza, Suite 1400
Louisville, KY. 40202

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.)
AND TRITEL COMMUNICATIONS, INC. AND)
TRITEL FINANCE, INC. FOR ISSUANCE OF A)
CERTIFICATE OF PUBLIC CONVENIENCE AND)
NECESSITY TO CONSTRUCT A WIRELESS)
COMMUNICATIONS FACILITY AT 1473 UPPER)
COLESBURG ROAD, ELIZABETHTOWN,) CASE NO.
KENTUCKY 42701 IN THE WIRELESS) 99-479-UAC
COMMUNICATIONS LICENSE AREA IN THE)
COMMONWEALTH OF KENTUCKY IN THE)
COUNTY OF HARDIN)
SITE NAME: MAPLE HOLLOW)
SITE NUMBER: 263-101)

O R D E R

On December 1, 1999, Crown Communication Inc. ("Crown") and Tritel Communications, Inc. and Tritel Finance, Inc. ("Applicants") filed an application seeking a Certificate of Public Convenience and Necessity to construct and operate a wireless telecommunications facility. Crown has requested authorization to construct a cell site in Hardin County and Tritel has provided evidence that the public convenience and necessity will be served by the proposed construction.

The proposed facility is to be located at 1473 Upper Colesburg Road, Elizabethtown, Hardin County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 45' 49.18" by West Longitude 85° 47' 28.02".

Crown has provided information regarding the structure of the tower, safety measures, and antenna design criteria for the proposed facility. Based upon the application, the design of the tower and foundation conforms to applicable nationally recognized building standards, and a Registered Professional Engineer has certified the plans.

Pursuant to KRS 100.987, the Applicants submitted a uniform application to the Hardin County Planning and Zoning Commission, which was approved on January 25, 2000. The Applicants have filed applications with the Federal Aviation Administration ("FAA") and the Kentucky Airport Zoning Commission ("KAZC") seeking approval for the construction and operation of the proposed facility. Both applications are pending.

The Applicants have filed evidence of the appropriate notices provided pursuant to 807 KAR 5:063. The notices solicited any comments and informed the recipients of their right to request intervention. To date, no requests for intervention have been filed with the Commission.

Pursuant to KRS 278.280, the Commission is required to determine proper practices to be observed when it finds, upon complaint or on its own motion, that the facilities of any utility subject to its jurisdiction are unreasonable, unsafe, improper, or insufficient. To assist the Commission in its efforts to comply with this mandate, Crown should notify the Commission if it does not use this antenna tower to provide service in the manner set out in its application and this Order. Upon receipt of such notice, the Commission may, on its own motion, institute proceedings to consider the proper practices, including removal of the unused antenna tower, which should be observed by Crown.

The Commission, having considered the evidence of record and being otherwise sufficiently advised, finds that the Applicants have demonstrated that a facility is necessary to provide adequate utility service and therefore should be granted a Certificate of Public Convenience and Necessity to construct the proposed facility.

IT IS THEREFORE ORDERED that:

1. Crown is granted a Certificate of Public Convenience and Necessity to construct a wireless telecommunications facility to be located at 1473 Upper Colesburg Road, Elizabethtown, Hardin County, Kentucky. The coordinates for the proposed facility are North Latitude 37° 45' 49.18" by West Longitude 85° 47' 28.02".
2. The Applicants shall file a copy of the final decisions regarding their pending FAA and KAZC applications for the proposed construction within 10 days of receiving these decisions.
3. Crown shall immediately notify the Commission in writing, if, after the antenna tower is built and utility service is commenced, the tower is not used for a period of 3 months in the manner authorized by this Order.

Done at Frankfort, Kentucky, this 2nd day of March, 2000.

By the Commission

ATTEST:


Executive Director



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION
730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

December 10, 1999

To: All parties of record

RE: Case No. 1999-479 UAC
TRITEL FINANCE, INC.

The Commission staff has reviewed your application in the above case and finds that it meets the minimum filing requirements. Enclosed please find a stamped filed copy of the first page of your filing. This case has been docketed and will be processed as expeditiously as possible.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie J. Bell".

Stephanie Bell
Secretary of the Commission

SB/sh
Enclosure

David Burak
Tritel Finance, Inc.
1512 Crums Lane
Louisville, KY. 40216

Lloyd McCarthy
Crown Communication Inc.
Commonwealth Business Center
11001 Bluegrass Parkway, Suite 330
Louisville, KY. 40299

Honorable David A. Pike
Attorney for Crown Communication Inc
Pike Legal Group
200 South Buckman Street
P. O. Box 369
Shepherdsville , KY. 40165 0369

Honorable Sandra F. Keene
& Honorable Mark W. Dobbins
Attorneys for Tritel
Tilford, Dobbins, Alexander,
Buckaway & Black
One Riverfront Plaza, Suite 1400
Louisville, KY. 40202

FOR THE PUBLIC RECORD

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

RECEIVED
DEC 01 1999
PUBLIC SERVICE
COMMISSION

In the Matter of:

APPLICATION OF CROWN COMMUNICATION INC.,)
TRITEL COMMUNICATIONS, INC. AND TRITEL)
FINANCE, INC. FOR ISSUANCE OF A CERTIFICATE OF)
PUBLIC CONVENIENCE AND NECESSITY TO)
CONSTRUCT A WIRELESS COMMUNICATIONS)
FACILITY AT 1473 UPPER COLESBURG ROAD)
ELIZABETHTOWN, KENTUCKY 42701)
IN THE WIRELESS COMMUNICATIONS LICENSE AREA)
IN THE COMMONWEALTH OF KENTUCKY)
IN THE COUNTY OF HARDIN)

CASE NO.: 99-479 UAC

FILED
DEC - 1 1999
PUBLIC SERVICE
COMMISSION

SITE NAME: MAPLE HOLLOW
SITE NUMBER: 263-101

Crown Communication Inc., as ultimate owner; and Tritel communications, Inc. and Tritel Finance, Inc., as licensed public utilities in the Commonwealth of Kentucky, make this application.

The property on which the Wireless Communications Facility ("WCF") will be built is located at 1473 Upper Colesburg Road, Elizabeth Town, Kentucky, 42701. The WCF site is geographically positioned at 37° 45' 49.18" North latitude, 85° 47' 28.02" West longitude.



COMMONWEALTH OF KENTUCKY
PUBLIC SERVICE COMMISSION

730 SCHENKEL LANE
POST OFFICE BOX 615
FRANKFORT, KY. 40602
(502) 564-3940

December 2, 1999

To: All parties of record

RE: Case No. 1999-479 UAC
TRITEL FINANCE, INC.
(Construct) CELL SITE - 1473 UPPER COLESBURG ROAD - ELIZABETHTOWN

This letter is to acknowledge receipt of initial application in the above case. The application was date-stamped received December 1, 1999 and has been assigned Case No. 1999-479. In all future correspondence or filings in connection with this case, please reference the above case number.

If you need further assistance, please contact my staff at 502/564-3940.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Bell".

Stephanie Bell
Secretary of the Commission

SB/jc

David Burak
Tritel Finance, Inc.
1512 Crums Lane
Louisville, KY. 40216

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Crown Communication Inc.
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